IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

OP.No. 11421 of 2003(I)

PETITIONER:

P.D. RADHA ALIAS MEENAKSHI RADHA,
D/O. DAMODARAN, PULLOMPARAMBIL,
ETTUMANOOR P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.

RESPONDENTS:
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1. THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY THE SECRETARY
DEVASWAM BOARD BUILDING, TRIVANDRUM.

2. THE ASST. DEVASWOM COMMISSIONER
ETTUMANUR DEVASWOM, ETTUMANUR.

BY ADV. SRI.P.G.PARAMESWARA PANICKER,SC, TDB
SRI.C.VIJAYAN, SC, TDB
SRI.D.SREEKUMAR, SC, TDB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP.No. 11421 of 2003

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- A TRUE COPY OF THE REPRESENTATION BY THE PETITIONER DATED 27.7.1995.

EXT.P2- A TRUE COPY OF THE RECOMMENDATION BY THE 2ND RESPONDENT DATED 16.8.95.

EXT.P3- A TRUE COPY OF THE RECOMMENDATION BY T.S.VIJAYAKUMAR DATED 31.7.95.

EXT.P4- A TRUE COPY OF THE CERTIFICATE DATED 31.7.95 BY THE SECRETARY SREE VEDAGIRI DEVASWAM, KURUMULLOOR.

EXT.P5- A TRUE COPY OF the ORDER DATED 29.8.95 BY THE 1ST RESPONDENT

EXT.P6- A TRUE COPY OF THE REPRESENTATION DATED 4.3.98 BY THE PETITIONER

EXT.P7- A TRUE CPY OF THE PETITION SUBMITTED BY THE PETITIONER DATED 27.3.2003 BEFORE THE 2ND RESPONDENT

EXT.P8- A TRUE COPY OF THE NEWS ITEM IN THE MATHRUBHUMI DAILY DATED 29.3.2003.

(TRUE COPY)

P.A TO JUDGE

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ

O.P. 11421/2003

Dated this the 4th day of July, 2007

JUDGMENT

K.S.Radhakrishnan, J

Petitioner has approached this Court seeking a declaration that the petitioner and the members of her family are entitled to conduct the Surppampattu in the Ettumanoor Mahadeva Temple and also for a direction to the respondents not to conduct the auction of the right to conduct the Surppampattu in the Temple.

2. Heard the counsel appearing for the petitioner. As per Ext.P5 order dated 29.8.1995 by the first respondent, petitioner was allowed to conduct Surppampattu in the Temple. Counsel for the petitioner therefore submitted that there is no justification in inviting applications to conduct the auction of the right to conduct Surppampattu. Petitioner claims customary right which she will have to establish before the Board or before the Court and writ petition is, therefore, disposed

of maintaining the interim order passed by this Court on 2.4.2003, unless otherwise ordered by the Board.

K.S.RADHAKRISHNAN
Judge

ANTONY DOMINIC
Judge

mrcs